

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 EA-10 ISO-00 AF-10 ARA-10 NEA-11
HA-05 AID-05 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 PA-01 SP-02 SS-15 TRSE-00 OMB-01
NSCE-00 SSO-00 ICAE-00 INRE-00 /116 W
-----009865 031258Z /44

O 031223Z JUL 78
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 1580
INFO AMEMBASSY BANGKOK
AMEMBASSY CANBERRA
AMEMBASSY LONDON
AMEMBASSY OSLO
AMEMBASSY OTTAWA

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E.O. 11652: N/A
TAGS: SHUM, UNHRC, CB
SUBJECT: REPORTS OF HUMAN RIGHTS SITUATION IN DEMOCRATIC
KAMPUCHEA: MEETING WITH HRD DIRECTOR VAN BOVEN

REF: A. STATE 157953; B. BANGKOK 17849; C. BANGKOK 18288;
D. GENEVA 9427

1. ON JUNE 30, FRANK SIEVERTS (DEPUTY ASSISTANT SECRETARY
FOR HUMANITARIAN AFFAIRS) AND WARREN HEWITT (DIRECTOR,
IO/HR) MET WITH UNHCR DIRECTOR THEO VAN BOVEN TO DISCUSS
THE PROSPECTS OF IMPLEMENTING, EFFECTIVELY, DECISION 9
(XXXIV) OF THE HUMAN RIGHTS COMMISSION. THE DECISION
CALLS FOR A TRANSMITTAL OF INFORMATION ABOUT THE HUMAN
RIGHTS SITUATION IN DEMOCRATIC KAMPUCHEA TO THE HUMAN
RIGHTS COMMISSION THROUGH THE SUB-COMMISSION.

2. SIEVERTS OPENED THE DISCUSSION BY STATING THAT THE
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UNITED STATES WOULD BE MAKING A SUBMISSION WHICH, ALONG
WITH OTHER DOCUMENTATION, WOULD INCLUDE INTERVIEWS WITH
KAMPUCHEAN REFUGEES WHO HAVE ESCAPED TO THAILAND. HE SAID
THE U.S. FELT COMPELLED TO MAKE ITS INITIATIVE BECAUSE OF
STRONG U.S. PUBLIC AND CONGRESSIONAL CONCERN ABOUT WHAT
IS HAPPENING IN DRK AND WHICH IN SOME CIRCLES IS BEING
COMPARED TO THE HOLOCAUST. SIEVERTS ALSO EXPRESSED CON-

CERN THAT, AT THIS POINT IN TIME, ONLY TWO ENGLISH SPEAKING COUNTRIES, THE U.S. AND THE U.K., PLAN TO MAKE SUBMISSIONS TO THE SUB-COMMISSION IN RESPONSE TO DECISION 9. CANADA, WHICH HAD CONSIDERED MAKING A REPORT, NOW APPEARS RELUCTANT; AND AUSTRALIA HAS MADE A TOTAL RETREAT FROM MAKING AN INITIATIVE. SIEVERTS SAID HE WOULD BE MEETING WITH A NUMBER OF WESTERN MEMBER STATES LATER THE SAME MORNING AND WOULD ASK THEM TO ENCOURAGE THEIR GOVERNMENTS TO SEND STATEMENTS TO THE SUB-COMMISSION EXPRESSING CONCERN ABOUT KAMPUCHEA'S HUMAN RIGHTS VIOLATIONS, IF THEY HAVE NO FACTUAL DATA TO PRESENT.

3. THE URGENCY OF HAVING THE REPORT OF THE NORWEGIAN TRIBUNAL ON KAMPUCHEA TRANSMITTED TO THE DIVISION BY JULY 15 WAS ALSO DISCUSSED. ACCORDING TO VAN BOVEN'S INFORMATION, THE EARLIEST POSSIBLE DATE FOR DISTRIBUTION OF THAT DOCUMENT IS SEPTEMBER. PRESSING FOR AN EARLIER SUBMISSION HAS BEEN STYMIED BY THE GON WHICH HESITATES TO INVOLVE ITSELF IN THE MATTER EXPLAINING THAT THE TRIBUNAL WAS SPONSORED BY PRIVATE ORGANIZATIONS COMPLETELY OUTSIDE GON JURISDICTION.

4. FYI: ON JUNE 21 (REF D) MISSION GENEVA SUGGESTED THAT AMEMBASSY OSLO INFORM TRIBUNAL SPONSORS OF THE JULY 15 DEADLINE IF REPORT WAS TO BE CONSIDERED BY SUB-COMMISSION. MISSION SUGGESTED TO U.K. MISSION THAT IT MIGHT LIMITED OFFICIAL USE

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WISH TO TAKE SIMILAR STEPS WITH ITS EMBASSY IN OSLO. ON JUNE 30, U.K. EMBASSY IN NORWAY WAS INSTRUCTED TO MAKE A DEMARCHE TO THE GON AND, IN ADDITION TO STRESSING DEADLINE FOR REPORT, TO RECOMMEND THAT NORWEGIANS SUBMIT TRIBUNAL DOCUMENT AS A GON PAPER. IF THE GON IS UNWILLING TO TAKE SUCH RESPONSIBILITY, THE U.K. OFFERED TO SUBMIT THE TRIBUNAL REPORT TO THE HRD AS PART OF THE U.K.'S DOCUMENTATION. END FYI.

5. ALTHOUGH DECISION 9 STATES THAT DATA ON KAMPUCHEA ARE TO BE REVIEWED BY THE SUB-COMMISSION, VAN BOVEN, IN RESPONSE TO A QUESTION BY HEWITT, SAID THAT DOCUMENTATION ARRIVING TOO LATE FOR SUB-COMMISSION CONSIDERATION WILL BE PROVIDED TO THE 35TH SESSION OF THE HUMAN RIGHTS COMMISSION FOR ITS EXAMINATION.

6. REFERRING TO U.S. INTERVIEWS WITH KAMPUCHEAN REFUGEES, VAN BOVEN STRESSED THAT NAMES OF INTERVIEWEES BE OMITTED EXCEPT WHERE PERMISSION HAS BEEN SPECIFICALLY GRANTED BY THE REFUGEE. SIEVERTS STATED THAT THIS PROCEDURE WOULD BE FOLLOWED BY THE DEPARTMENT.

7. DURING THE CONVERSATION, VAN BOVEN SAID THAT THE DIVISION HAS RECEIVED A FEW LETTERS FROM INDIVIDUALS EXPRESSING CONCERN ABOUT HUMAN RIGHTS VIOLATIONS IN KAMPUCHEA BUT NOTHING HAS BEEN RECEIVED FROM GOVERNMENTS NOR FROM NGO'S. HE WAS SOMEWHAT PERPLEXED TO LEARN FROM SIEVERTS THAT AMNESTY INTERNATIONAL WOULD NOT BE PRESENTING A REPORT ON THIS PARTICULAR SITUATION AND STATED HIS BELIEF THAT NGO'S SHOULD HAVE A ROLE IN THIS INITIATIVE, NOTING THAT DECISION 9 PROVIDES GREATER OPPORTUNITIES FOR NGO PARTICIPATION THAN DOES RES. 1503. VAN BOVEN ALSO SAID THAT WHILE THE DIVISION WILL, OF COURSE, ACCEPT GOVERNMENT DOCUMENTATION ON KAMPUCHEA, HE PREFERS NGO REPORTS. HE ALSO CAUTIONED

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INFO AMEMBASSY BANGKOK

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AGAINST EXCESSIVE GOVERNMENT INTERVENTION DURING THE SUB-COMMISSION, POINTING OUT THAT THE SUB-COMMISSION IS AN INDEPENDENT BODY OF EXPERTS WHO ARE SENSITIVE TO GOVERNMENTS ATTEMPTING TO GIVE THEM DIRECTION.

8. IN REPLY TO SIEVERT'S QUESTION REGARDING THIRD WORLD OPPOSITION TO ACTION ON KAMPUCHEA, VAN BOVEN EXPRESSED HIS VIEW THAT LATIN AMERICANS WOULD PROBABLY SUPPORT THE INITIATIVE BECAUSE IT WILL TAKE THE HEAT OFF THE LATIN AMERICAN REGION. HE ALSO RECALLED THAT OPPOSITION TO THE INITIATIVE IN THE HUMAN RIGHTS COMMISSION HAD BEEN MAINLY PROCEDURAL, AND EVEN THE SYRIAN DEL, WHO HAD RAISED THE

MOST OBJECTIONS TO THE U.K. INTERVENTION, VOTED IN FAVOR
OF THE ACTION WHICH WAS FINALLY TAKEN.
VANDEN HEUVEL

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